

EXHIBIT A

Page 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
C.A.NO.: 17-10432-DJC

-----x

AMANDA ARNOLD,
Plaintiff,

VS

THE WOODS HOLE, MARTHA'S VINEYARD
AND NANTUCKET STEAMSHIP AUTHORITY,
Defendant.

-----x

DEPOSITION OF AMANDA ARNOLD,
taken on behalf of the Defendant,
pursuant to the applicable provisions of the
Massachusetts Rules of Civil Procedure, before
Tara L. Wosny, Notary Public and Certified
Shorthand Reporter, within and for the
Commonwealth of Massachusetts, at the offices of
Clinton & Muzyka, P.C., 88 Black Falcon Avenue,
Suite 200, Boston, Massachusetts, on Wednesday,
December 13, 2017, at 10:00 a.m.

Page 3

INDEX
WITNESS: AMANDA ARNOLD

By Mr. Muzyka 4

EXHIBIT INDEX

1	Answers to Interrogatories	165
2	Photograph of the Eagle Steamship Ferry	181
3	Photograph of Hallway	182
4	Photograph	182
5	Photograph	184
6	Photograph	185

Page 2

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Page 4

PROCEEDINGS

* * *

AMANDA ARNOLD, the witness,
having been satisfactorily identified and
duly sworn by the Notary Public, was examined
and testified as follows in answer to direct
interrogatories:

* * *

EXAMINATION BY MR. MUZYKA:

- Q. Ms. Arnold, have you ever had your deposition taken before?
- A. No.
- Q. Okay. Let me just give you some rules so that things will be a little bit easier for all of us.
- A. Okay.
- Q. I'm going to ask you a number of questions. You're going to answer a number of questions. Your counsel may object or make statements. It's all going to be taken down by this woman. She's usually 99 and 9/10 percent accurate, but in order to help her out, I would appreciate it if you would hold off answering a question until I finish. That way we're not talking over each

* * * * *

<p style="text-align: right;">Page 9</p> <p>1 A. No.</p> <p>2 Q. Okay. So this was your first time on a</p> <p>3 Steamship Authority vessel; is that correct?</p> <p>4 A. Yes. That circulate that area.</p> <p>5 Q. Have you ever been on any other vessels?</p> <p>6 A. Yes.</p> <p>7 Q. What type of vessels?</p> <p>8 A. Other ferries?</p> <p>9 Q. Have you been on ferries?</p> <p>10 A. Yes.</p> <p>11 Q. All right. Have you ever been on any type of</p> <p>12 recreational boats?</p> <p>13 A. For personal use?</p> <p>14 Q. Yes.</p> <p>15 A. Okay.</p> <p>16 Q. And can you tell me what your experience is with</p> <p>17 recreational vessels?</p> <p>18 A. To get to and from Fire Island.</p> <p>19 Q. What size vessels are we talking?</p> <p>20 A. I'm unfamiliar with boating sizes. Small</p> <p>21 fishing boats.</p> <p>22 Q. Are we talking 20 feet or 120 feet?</p> <p>23 A. Twenty. Small.</p> <p>24 Q. Okay. And how often would you be on these types</p>	<p style="text-align: right;">Page 11</p> <p>1 use of glasses?</p> <p>2 A. I don't know the distance.</p> <p>3 Q. What is your best estimate?</p> <p>4 A. A small subtitle at a distance of -- I don't</p> <p>5 know. I don't know lengths very well. I don't</p> <p>6 have an estimate at this time. I would say</p> <p>7 watching the TV across the room.</p> <p>8 Q. Okay. Do you have problems with your vision</p> <p>9 seeing objects at 20 feet?</p> <p>10 A. No. It's just making out small words.</p> <p>11 Q. Okay. So in other words, if you were looking at</p> <p>12 20 feet away, you'd be able to see a door or a</p> <p>13 handrail or something like that?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Do you wear contacts at all?</p> <p>16 A. No.</p> <p>17 Q. For the trip to go to Nantucket on September 30,</p> <p>18 2016, who made the arrangements?</p> <p>19 A. Which arrangements?</p> <p>20 Q. To take the ferry from Cape Cod to Nantucket.</p> <p>21 A. My brother and I.</p> <p>22 Q. Okay. Did you make the arrangements? Did you</p> <p>23 call in the reservation?</p> <p>24 A. We didn't make a reservation.</p>
<p style="text-align: right;">Page 10</p> <p>1 of recreational boats?</p> <p>2 A. A handful of times in my lifetime. Under five.</p> <p>3 Q. Have you ever been on any type of ferry vessel?</p> <p>4 A. Once a large ferry. Once before.</p> <p>5 Q. Where was that ferry located?</p> <p>6 A. That was in Washington.</p> <p>7 Q. State of Washington?</p> <p>8 A. Yes.</p> <p>9 Q. Where was it going between?</p> <p>10 A. I can't recall at this time. It was when I was</p> <p>11 much younger, and I was traveling with my</p> <p>12 family.</p> <p>13 Q. I asked you a question about physical</p> <p>14 impairments. Do you have any impairments with</p> <p>15 regard to your vision or your hearing?</p> <p>16 A. No. My hearing is fine. My vision is -- up</p> <p>17 close it's fine. At a distance I need it for</p> <p>18 when I read far away.</p> <p>19 Q. Okay. And when you say when you read far away,</p> <p>20 are you prescribed glasses for that?</p> <p>21 A. I have a prescription, but I don't -- my doctor</p> <p>22 said it's pretty minimal. I can use them at my</p> <p>23 own will.</p> <p>24 Q. So how far away can you see without needing the</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. When you went from Cape Cod to Nantucket, did</p> <p>2 you have a vehicle with you or were you</p> <p>3 traveling without a vehicle?</p> <p>4 A. We drove to the ferry and parked in the</p> <p>5 designated ferry parking lot.</p> <p>6 Q. And did you not take the ferry on board the</p> <p>7 vessel?</p> <p>8 A. The car you mean?</p> <p>9 Q. The car.</p> <p>10 A. No.</p> <p>11 Q. Before boarding the ferry can you tell me what</p> <p>12 type of a day you recall it was?</p> <p>13 A. How so?</p> <p>14 Q. Weatherwise.</p> <p>15 A. Oh, it was a little gloomy.</p> <p>16 Q. And when you say gloomy, what do you mean by</p> <p>17 gloomy?</p> <p>18 A. The sun was not out.</p> <p>19 Q. How was the wind?</p> <p>20 A. The wind seemed fine on the drive.</p> <p>21 Q. On September 30th, what were you wearing?</p> <p>22 A. Jeans, Teva sandals with socks, a long-sleeved</p> <p>23 shirt, sweater and a fleece vest and a ball cap.</p> <p>24 Q. On your right hand did you have any rings?</p>

Page 13

- 1 A. Yes.
- 2 Q. Are you still in possession of those rings?
- 3 A. I'm currently wearing it.
- 4 Q. Could you describe for me how you boarded the
- 5 vessel on September 30th?
- 6 A. You mean like how we got up the vessel?
- 7 Q. Yes.
- 8 A. There was an on-ramp.
- 9 Q. And when you boarded the vessel, do you know the
- 10 name of the vessel?
- 11 A. I believe it was Eagle.
- 12 Q. And the onramp that you took to board the
- 13 vessel, was it at the front end or the back end
- 14 of the vessel?
- 15 A. I don't recall. Mid.
- 16 Q. Somewhere in the middle?
- 17 A. Yes. It was not in either the extreme front or
- 18 extreme back.
- 19 Q. And after you went up the ramp to get on board
- 20 the vessel, where did you get on the vessel?
- 21 A. We sort of followed the crowd to the seating
- 22 area.
- 23 Q. Once you got on board the vessel, did you go up
- 24 any further decks or did you stay on the deck

Page 15

- 1 to a diner and there's a bench seat. Like that.
- 2 Q. How many of those were there?
- 3 A. It's one long one on one side and one long one
- 4 on the other side.
- 5 Q. And did anybody sit at the table other than you
- 6 and your brother?
- 7 A. No, just the two of us.
- 8 Q. Do you recall what time the vessel departed from
- 9 its port in Cape Cod?
- 10 A. It was early afternoon. I don't recall the
- 11 exact time.
- 12 Q. Did you purchase the tickets or did your brother
- 13 purchase the tickets?
- 14 A. I purchased the tickets.
- 15 Q. And is your brother older or younger than you?
- 16 A. He is a few years older than me.
- 17 Q. What does your brother do for an occupation?
- 18 A. He's a working artist, as well as a bartender.
- 19 Q. At the time what did you do for an occupation?
- 20 A. The same occupation that I've had for 12 years,
- 21 which is managing a bar.
- 22 Q. Can you give me a brief description of your
- 23 educational background?
- 24 A. High school, some college, pattern making. I

Page 14

- 1 that the ramp led to?
- 2 A. I believe everybody went up. We went up stairs
- 3 to the main area where there is, like, the
- 4 concession stands and you can oversee the water.
- 5 I don't know. I don't recall what floor it was.
- 6 Q. Okay. When you went up to the area or the deck
- 7 with the concession stands, did you pick out a
- 8 place to sit down?
- 9 A. Yes.
- 10 Q. And where did you sit?
- 11 A. We sat in the front. There were four tables,
- 12 like, lunch-style seating that you would go to
- 13 like a diner, you know?
- 14 Q. Okay.
- 15 A. We were on the southeast -- I'm sorry, the
- 16 southwest of the four.
- 17 Q. Southwest?
- 18 A. If you were looking at it this was north, and
- 19 then they were lined up, it would have been the
- 20 bottom left one.
- 21 Q. Okay. Of the four tables?
- 22 A. Yes.
- 23 Q. And how many chairs are at that table?
- 24 A. They aren't chairs. It's like if you were to go

Page 16

- 1 took adult classes here and there when I worked
- 2 in fashion. And that's about it.
- 3 Q. Okay. Which high school did you graduate from?
- 4 A. Southwest High.
- 5 Q. Where is that located?
- 6 A. The Imperial Valley, El Centro, California.
- 7 Q. When did you graduate?
- 8 A. 2002.
- 9 Q. And did you immediately go to college after
- 10 that?
- 11 A. No, I moved to San Diego and worked at a law
- 12 firm as a paralegal working there for a year or
- 13 so and then they did layoffs, and then I moved
- 14 to New York shortly after that.
- 15 Q. Okay. And did you follow up with any type of
- 16 formal education in New York?
- 17 A. I attended FIT.
- 18 Q. And the acronym FIT means?
- 19 A. Fashion Institute of Technology.
- 20 Q. What type of curriculum did you follow?
- 21 A. Small leather goods and pattern making.
- 22 Q. When you talk about pattern making, that's for
- 23 small leather goods?
- 24 A. Yes, small leather goods.

Page 17

1 Q. And did you complete the curriculum at that
2 school?
3 A. No, I did not.
4 Q. How long did you go to that school?
5 A. I took a couple of semesters and I was working
6 with a designer at the time. I didn't feel the
7 need to finish the education because I already
8 had work, employment in the field.
9 Q. Have you received any type of certifications or
10 certificates from any type of education beyond
11 that?
12 A. No.
13 Q. Prior to September 30, 2016, have you ever
14 injured any portion of your right hand or your
15 right arm?
16 A. Not my right hand. I did have a piece of glass
17 cut my right arm at work and I had stitches.
18 Q. Okay. Is that just on the surface of your right
19 arm?
20 A. Yes, just here (indicating).
21 Q. In the inside of the elbow?
22 A. Yes -- no, that wouldn't be inside the elbow,
23 but where -- I think it was near the artery.
24 Q. Did it cut the artery?

Page 19

1 A. No. I went up to get my brother and I beers at
2 the concession stand, and then brought them
3 directly back to the table.
4 Q. Okay. What type of beers did you buy?
5 A. Ale.
6 Q. How many?
7 A. Two.
8 Q. One for you and one for your brother?
9 A. You got it.
10 Q. Did you have any more beer than one apiece
11 before using the ladies' room?
12 MS. PENNOCK: Objection.
13 A. No, I didn't have a full beer.
14 Q. How much of the beer did you drink?
15 A. Half of it before I went to the ladies' room.
16 Q. Do you know the make of the beer?
17 A. I'm sorry, I don't understand.
18 Q. The type of beer and the make, who made it.
19 A. An ale.
20 Q. Budweiser or --
21 A. Well, Budweiser doesn't make ale.
22 Q. I know.
23 A. Whatever pale ale they had. I don't recall the
24 brewery.

Page 18

1 A. No.
2 Q. As a result of that injury, have you suffered
3 any type of lack of sensation or use of your
4 right arm?
5 A. None.
6 Q. Or your hand?
7 A. No.
8 Q. After you boarded the vessel on September 30th,
9 and you sat down in the location that you
10 described, how far was that from the concession
11 stand?
12 A. The concession stand was -- it was basically --
13 there was space and then it was there just right
14 behind us.
15 Q. Okay. So were you on the outside of the vessel
16 near a window?
17 A. No.
18 Q. Were you in the center of the vessel itself?
19 A. The center.
20 Q. How long were you at the table in that area that
21 you described before going to the women's room?
22 A. Maybe 25, 35 minutes.
23 Q. During those 25 to 35 minutes or so, were you
24 always at that table?

Page 20

1 Q. An IPA?
2 A. A pale ale.
3 Q. Prior to boarding the vessel, can you tell me
4 what you had consumed from the time you woke up
5 to the time you got on board the vessel?
6 A. By consume, what do you mean?
7 Q. Food, beverages, liquor.
8 A. Water, coffee, seltzer.
9 Q. Let's do this. What did you have for breakfast?
10 A. I think we stopped to get bagels by where we
11 picked up the car. I had a coffee and probably
12 ate half the bagel. Then we went -- we stopped
13 on the way, I believe, in Connecticut to get
14 gas, water, pretzels, beef jerky, and then I had
15 seltzer and then we got on the boat.
16 Q. Okay. So you didn't have a formal, sit-down
17 breakfast?
18 A. No.
19 Q. And no formal lunch?
20 A. I do not usually have formal sit-down breakfast.
21 Q. And you didn't have a formal lunch either; is
22 that correct?
23 A. No.
24 Q. Have you told me everything that you consumed

* * * * *

Page 65

- 1 Q. Was anybody from the ship with you?
- 2 A. Steve was there.
- 3 Q. He had accompanied you off the vessel?
- 4 A. Yes -- not off the vessel, but he took us
- 5 through an elevator to get down, and then waited
- 6 as we docked with -- my brother and I. And then
- 7 the ambulance was there to receive me.
- 8 Q. So there was an ambulance called to meet you at
- 9 the dock?
- 10 A. There was an ambulance called, yes.
- 11 Q. What happened as you were leaving the vessel?
- 12 Describe it for me.
- 13 A. I don't understand.
- 14 Q. Did Steve go with you to the ambulance?
- 15 A. No.
- 16 Q. All right. You and your brother walked down the
- 17 gangway to the ambulance?
- 18 A. Yes.
- 19 Q. All right. What happened next once you got to
- 20 the ambulance?
- 21 A. I was received by two EMTs. I think they were
- 22 EMTs. I know that they were firefighters and
- 23 they told me that. That doesn't matter.
- 24 Irrelevant. Two gentlemen that worked in the

Page 67

- 1 ambulance was moving.
- 2 Q. All right. What type of medical treatment did
- 3 they provide to you in the ambulance?
- 4 A. I don't really know what they were supposed to
- 5 provide. They just -- they didn't really
- 6 provide any medical treatment. They asked me
- 7 about -- they had to fill out a type of -- you
- 8 know, report for when they put you in the
- 9 hospital. So they kind of asked me those kinds
- 10 of questions. They asked me what had happened
- 11 and then they kind of were holding my fingers in
- 12 place and had ice packs on them until we got to
- 13 the hospital.
- 14 Q. Did they provide any medication for you?
- 15 A. No.
- 16 Q. Did they take your vital signs?
- 17 A. Yes.
- 18 Q. With regard to your fingers, when you say they
- 19 were holding them in place, describe it for me.
- 20 A. Like a rag and like a piece of cloth and ice
- 21 packs, and they were holding it still.
- 22 Q. Okay. Were they keeping the ends of your
- 23 fingers in place where they should be?
- 24 A. Yes. So the part that was hanging off, you

Page 66

- 1 ambulance, and then there was somebody who was
- 2 driving it, and they received us. And we got
- 3 into the ambulance and we left the ferry.
- 4 Q. What did they do for you when you were received
- 5 by the two gentlemen who were in the ambulance
- 6 with you?
- 7 A. They put -- they were holding my fingers in
- 8 tact. I had a ring on -- this ring on this
- 9 finger.
- 10 Q. On your ring finger?
- 11 A. Yes. So they had to saw it off. That took a
- 12 good amount of time. They were trying to hand
- 13 saw it, and then they had to use kind of like a
- 14 power tool saw. That took primarily most of the
- 15 time. And then they didn't perform any kind of
- 16 surgery or anything. You know, no maintenance.
- 17 It was just kind of keeping things in place and
- 18 they were asking me questions, I think, to
- 19 distract me from the pain.
- 20 Q. Let me -- with regard to your ring, was the
- 21 removal of your ring happening at the ambulance?
- 22 A. In the ambulance.
- 23 Q. Before you left?
- 24 A. No. On the drive from -- during the -- the

Page 68

- 1 would have to physically hold it on top in order
- 2 for it to not fall. So that's what they were
- 3 doing.
- 4 Q. That was done with the rag that you
- 5 were describing that was folded over your hands?
- 6 A. I was just trying to -- yes, just to hold it in
- 7 place because I didn't know what was going to
- 8 happen if I didn't.
- 9 Q. Where was the ice?
- 10 A. The ice from --
- 11 Q. You're indicating -- you're holding your right
- 12 hand with your left hand?
- 13 A. Yes.
- 14 Q. Where was the ice that they were putting on your
- 15 hand?
- 16 A. They weren't putting ice on my hand. The ice
- 17 happened on the ferry. When I got into the
- 18 ambulance, they had special cold packs that they
- 19 were doing that with.
- 20 Q. So they were putting cold packs on it?
- 21 A. Yes, it wasn't directly on ice.
- 22 Q. At that point in time did your pain level
- 23 decrease at all?
- 24 A. No, it only increased.

* * * * *

Page 193

1 COMMONWEALTH OF MASSACHUSETTS
2 SUFFOLK, SS.

3 I, Tara L. Wosny, Certified Shorthand Reporter
4 and Notary Public in and for the Commonwealth of
5 Massachusetts, do hereby certify that Amanda Arnold,
6 the witness whose deposition is herein before set forth,
7 was duly sworn by me and that such deposition is a true
8 record, to the best of my ability, of the testimony given
9 by the witness.

10 I further certify that I am neither related to
11 or employed by any of the parties in or counsel to this
12 action, nor am I financially interested in the outcome of
13 this action.

14 In witness whereof, I have hereunto set my hand
15 and seal this 30th day of January, 2018.
16
17

18 Tara L. Wosny

19 Notary Public

20 My commission expires:

21 June 10, 2019
22
23
24